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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JESUS ORTIZ-PLATA and JUAN
14 PABLO CUELLAR MEDINA,

15 Defendants.

CASE NO. CR24-0094JLR

ORDER CONTINUING TRIAL

16 Before the court is Defendant Juan Pablo Cuellar Medina's motion to continue the
17 trial in this matter. (Mot. (Dkt. # 29).) Plaintiff the United States of America "agrees
18 with a continuance." (*Id.* at 4.) Counsel for Defendant Jesus Ortiz-Plata, Assistant
19 Federal Public Defender Jesse Cantor, "agrees that a continuance of the trial date is
20 necessary to afford Mr. Ortiz-Plata a thorough defense and protect his right to effective
21 assistance of counsel." (Ortiz-Plata Resp. (Dkt. # 33) at 1.) Although Mr. Cuellar
22 Medina has signed a speedy trial waiver "during the period from the present until two

1 weeks beyond the new trial date set by the Court” (Waiver (Dkt. # 29-2) at 2), Mr.
2 Ortiz-Plata has not signed a speedy trial waiver (*see* Ortiz-Plata Resp. at 1 (“[I]t is
3 unclear at this time whether Mr. Ortiz-Plata will agree to sign a speedy trial waiver.
4 Should that change, then undersigned counsel will file an executed speedy trial
5 waiver.”)).

6 The Speedy Trial Act “includes an ends of justice provision, allowing for the
7 exclusion of time where a district court finds ‘that the ends of justice served by taking
8 such action outweigh the best interest of the public and the defendant in a speedy trial.’”
9 *United States v. Olsen*, 21 F.4th 1036, 1041 (9th Cir. 2022) (quoting 18 U.S.C. § 3161
10 (h)(7)(A)). “In determining whether the ends of justice outweigh the best interest of the
11 public and the defendant in a speedy trial, the district court must evaluate, ‘among
12 others,’ several enumerated factors.” *Id.* (quoting 18 U.S.C. § 3161(h)(7)(B)). *See*
13 *generally* 18 U.S.C. § 3161(h)(7)(B)(i)-(iv) (listing factors).

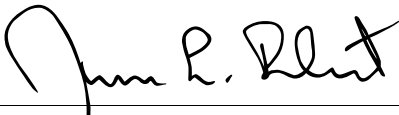
14 The court has considered the factors in 18 U.S.C. § 3161(h)(7)(B)(i)-(iv) and all
15 other relevant circumstances of this case and finds that the ends of justice served by
16 granting a continuance outweigh the best interests of the public and Mr. Ortiz-Plata in a
17 speedy trial. Mr. Ortiz-Plata’s attorney believes a continuance “is necessary to afford Mr.
18 Ortiz-Plata a thorough defense.” (Ortiz-Plata Resp. at 1.) The court agrees. This is a
19 complex human trafficking case with multiple defendants, and a miscarriage of justice
20 could result if Mr. Ortiz-Plata’s attorney is not given “sufficient time to prepare an
21 effective defense.” (*Id.* at 2.)

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1 The court therefore ORDERS that the period from the date of this order to the new
2 trial date shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C.
3 §§ 3161(h)(8)(A) and (h)(8)(B)(i) and (iv).

4 The court further ORDERS that the trial date in this matter is continued to
5 November 4, 2024, and the pre-trial motions due date is continued to September 20,
6 2024.

7 Dated this 26th day of June, 2024.

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9 JAMES L. ROBART
United States District Judge